

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
GEORGE DUDLEY CRONE,)	CASE NO. BK12-80756-TLS
)	
<u>Debtor(s).</u>)	
BROADCAST MUSIC, INC; et al.,)	A12-8024-TLS
)	
Plaintiff(s),)	8:11CV219
)	
vs.)	CH. 13
)	
CRONE, INC., d/b/a PIECES LOUNGE)	
a/k/a PIECES ULTRA LOUNGE, and)	
GEORGE D. CRONE,)	
)	
<u>Defendant(s).</u>)	

REPORT & RECOMMENDATION

This matter is before the court on the plaintiff's status report (Fil. No. 5).

The plaintiffs filed a complaint in June 2011 in the United States District Court for the District of Nebraska alleging copyright violations via the defendants' allegedly unauthorized public performance of musical compositions. Motions for default judgment against the corporate defendant and summary judgment against the individual defendant were pending at the time the individual defendant filed a Chapter 13 bankruptcy petition and the litigation was referred to this court.

The automatic stay of 11 U.S.C. § 362 protects the debtor from any attempts to collect a debt from him, but the non-debtor defendant is not subject to the same protection. Therefore, I respectfully recommend to the United States District Court for the District of Nebraska that it withdraw the reference of this adversary proceeding to proceed with the litigation against Crone, Inc., while staying the case as to the party in bankruptcy until the automatic stay is no longer in effect or until relief from the automatic stay is requested and obtained from the bankruptcy court.

The Clerk of the Bankruptcy Court shall process this recommendation pursuant to the local court rules.

DATED: May 11, 2012

RESPECTFULLY SUBMITTED,

/s/ Thomas L. Saladino
Chief Judge

Notice given by the Court to:

Jill R. Ackerman	Jennifer D. Tricker
George D. Crone	Erin M. McCartney
Brandon R. Tomjack	U.S. Trustee